



CITY OF SAN RAMON

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February 27, 2008

Mr. John Muller, Chair
San Francisco Bay Regional Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland, CA 94621

RE: Tentative Order for Stormwater Discharges from Phase I Municipal Permittees in the San Francisco Bay Region

Dear Mr. Muller,

The City of San Ramon would like to thank you for the opportunity to comment on the Tentative Order for Stormwater Discharges from Phase I Municipal Permittees in the San Francisco Bay Region issued by the San Francisco Bay Regional Water Quality Control Board (RWQCB) on December 4, 2007, and revised on December 14, 2007. We hope that you find our comments to be helpful in the process of reviewing and adopting the Tentative Order (TO).

The City of San Ramon would like to express our appreciation of the effort put forth by the RWQCB and staff during the creation of the draft Municipal Regional Permit (MRP). We appreciate the efforts you and your staff have made to meet with representatives of the Bay Area Stormwater Management Agencies Association (BASMAA) and other agencies over the past three years to discuss how to improve water quality throughout the Bay Area.

The City of San Ramon supports the comments provided by BASMAA and the Contra Costa Clean Water Program throughout the review process. Additionally, the City of San Ramon would like to submit general comments as follows:

- The TO has many new requirements that are large in scope and cover several different clean water issues. Although many of the tasks are manageable, the lack of prioritization creates a situation where all tasks are equally weighted therefore creating a difficult situation to manage given the limited resources and funding.
- The TO proposes to expand existing requirements, adopt additional requirements, and mandate capital purchases. However, these requirements have not been analyzed to determine the level of water quality benefits, if any. Prior to the implementation of the TO, the modified requirements should be studied to determine the benefits associated with the requirements and a cost/benefit analysis should be provided.
- The RWQCB TO does not identify any additional funding mechanisms to implement the new requirements. Local jurisdiction's ability to create new revenue streams are limited by Proposition 218 and are very difficult to obtain voter approval due to the current state

of the economy and the current State budget crisis. Proposition 218 balloting is very expensive to promote and conduct, further drawing on already scarce resources that could be used to improve water quality in our area. Unless new sources of funding are identified by the RWQCB, the new requirements will place an undue financial burden on the City. Preliminary projections indicate that the City of San Ramon will run a budget deficit starting in FY 09/10 if the new requirements are implemented.

The City of San Ramon requests the RWQCB to address the following concerns:

1. The revision of the Provision C.3 requirement that lowers the 10,000 square foot threshold to a 5,000 square foot for new or replaced impervious surface without analytical data supporting the reduction makes it unreasonable to assume the reduction is necessary. The inclusion of sidewalks, bicycle lanes, and arterial street and road replacement projects places a significant financial burden on local jurisdictions who in many instances undertake these projects to address public safety. These new requirements will have a negative impact on pedestrians, bicyclists, and motorists by forcing the reduction of services that address public safety.

The City requests that the RWQCB analyze the current impact of the 10,000 square foot C.3 threshold prior to the adoption of a 5,000 square foot threshold.

2. Section C.10.b requires that "Half or more of the total catchment area to be addressed as described in Provision C.10.a.i., must be managed through installation of full trash capture devices." The City of San Ramon agrees that trash is a major pollutant of concern that needs to be addressed in an effective manner. However, it has been our experience that effective trash control can be achieved without the use of structural full capture devices. The City of San Ramon controls trash using three primary methods. The first method is bi-monthly street sweeping for all residential areas and weekly street sweeping for commercial and industrial areas. The current level of street sweeping exceeds the levels established in section C.2.a of the TO. The second method of trash control is a weekly trash pickup through our Citywide Landscaping and Lighting Assessment District (LLAD). As part of the LLAD contract, workers pick up trash along arterial and collector roadways during maintenance activities. The third method of trash control involves City Public Services staff collecting trash when found while conducting work in the field.

The City requests the RWQCB include the option of conducting enhanced trash management control measures, such as the measures listed above, as an alternative to the installation of full trash capture devices in Section C.10.b. The City also requests the RWQCB change C.10.a.i. so that jurisdictions would have the option to implement measures other than the installation of structural full capture devices to control trash.

3. Section C.10.b.(1) requires "enforceable parking restrictions to clear vehicles from the curbs on street sweeping days". "No Parking" signs must be installed in order to implement enforceable curb restrictions. Currently, San Ramon has very small amount of "No Parking" zones. Adopting this requirement would force local jurisdictions to install no parking signs for 10% of their urbanized areas where it is not necessarily needed and will redirect police staff from public safety duties to enforce the "No Parking" requirements.

The City requests the RWQCB to include the option of conducting effective public outreach to inform the public about removing vehicles from the curbside on street sweeping days.

4. Section C.10.b.(2) states that "Credit can be claimed for trash removal devices meeting the full capture definition installed and maintained by the Permittees within the past 10 years before July 1, 2008". The City of San Ramon has several privately owned locations in which trash control devices have been installed to either meet C.3 requirements or as a condition of approval for the project. We have successfully partnered with the private property owners to install these devices, which are monitored to ensure that they are functioning properly through enforceable maintenance agreements.

The City of San Ramon requests the RWQCB to include trash removal devices meeting the full capture definition installed and maintained by private parties in the calculation of the credit received for existing full capture trash devices.

5. Section C.3.b.(5) requires stormwater treatment for road projects that are rehabilitated down to the gravel base. Maintenance of roadway infrastructure is of national, state, and local concern. Currently, there are insufficient funds to maintain roadway infrastructure. To impose the requirements would further reduce funds. In most cases it is not possible to comply with this requirement due to the right-of-way limitations and existing utilities installed along the roadway. The costs associated with treating stormwater for road rehabilitation projects will add very significant costs to city road maintenance budgets and could trigger environmental review for new right-of-way acquisitions. The result would be fewer road rehabilitations leading to a significant decrease in local road quality.

The City of San Ramon requests the RWQCB to exempt road maintenance, expansion, and reconstruction projects from Provision C.3.

We appreciate your consideration of our concerns listed above and look forward to the response from the RWQCB addressing our requests prior to the adoption of the TO. The City of San Ramon requests that the RWQCB make this letter an official part of the record for the public hearings on the Tentative Order for Stormwater Discharges from Phase I Municipal Permittees in the San Francisco Bay Region. If you have any questions or comments, please feel free to contact Herb Moniz, City Manager at 925-973-2500.

Sincerely,



H. Abram Wilson
Mayor, City of San Ramon

cc: Mr. Bruce Wolf, Executive Officer
Tom Mumley, Assistant Executive Officer
Shin-Roei Lee, Chief – South Bay Watershed Management Division
Wil Bruhns, Chief – North Bay Watershed Management Division
Dale Bowyer, Section Leader – Southeast Bay Section
Don Freitas, BASMAA Chair
Tom Daziel, Contra Costa Clean Water Program Assistant Program Manager